



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

December 15, 1998

Ms. Michelle Mitchell
Police Records Technician
North Richland Hills Police Department
P.O. Box 820609
North Richland Hills, Texas 76182-0609

OR98-3139

Dear Ms. Mitchell:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 120542.

The City of North Richland Hills (the "city") received a request for a report related to warrant number 0998NRH14M. You contend that this information is excepted from public disclosure by section 552.108 of the Government Code. You have supplied the responsive information. We have considered the exception you claim and have reviewed the documents at issue.

Section 552.108 of the Government Code, reads in pertinent part::

(a) Information held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime is excepted from the requirements of Section 552.021 if:

(1) release of the information would interfere with the detection, investigation, or prosecution of crime;

....

You state that the requested report relates to an ongoing investigation. Based upon this representation, we conclude that the release of the reports would interfere with the detection, investigation, or prosecution of crime. *See Houston Chronicle Publ'g Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.--Houston[14th Dist.] 1975), *writ ref'd n.r.e. per curiam*, 536 S.W. 2d 559 (Tex. 1976) (court delineates law enforcement interests that are present in active cases).

We note, however, that information normally found on the front page of an offense report is generally considered public. *See generally* Gov't Code § 552.108(c); *Houston Chronicle*, 531 S.W.2d 177; Open Records Decision No. 127 (1976). Thus, you must release the type of information that is considered to be front page offense report information, including a detailed description of the offense and arrest, even if this information is not actually located on the front page of the offense report. In Open Records Decision No. 127 (1976), this office summarized the front page information of an offense report.

Although section 552.108(a)(1) authorizes you to withhold the remaining information from disclosure, you may choose to release all or part of the information at issue that is not otherwise confidential by law. *See* Gov't Code § 552.007.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Michael J. Burns
Assistant Attorney General
Open Records Division

MJB/rho

Ref: ID# 120542

Enclosures: Submitted documents

cc: Mr. Michael Nagle
8177 Fairview
Fort Worth, Texas 76111
(w/o enclosures)